

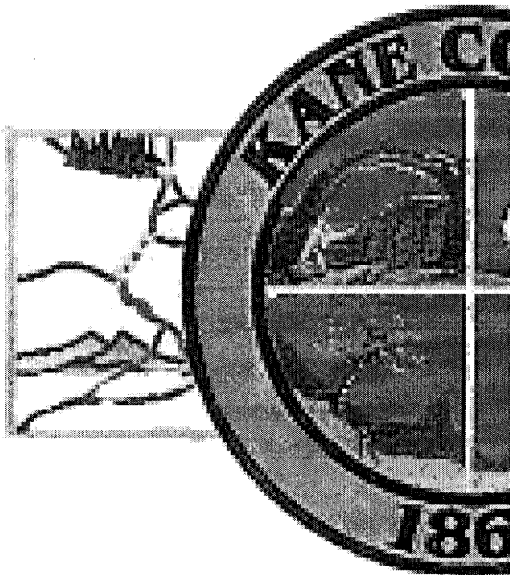
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From: "Mark Habbeshaw" <markh@kanab.net>
To: <ogmcoal@utah.gov>
Date: 5/16/2008 3:56 PM
Subject: Alton Coal Project
Attachments: Alton Coal Project Comments 5-16-08.rtf; Alton Coal Project support letter 6-13-07.rtf

Kane County's Alton Coal Project comments attached.

Thanks,
Mark W. Habbeshaw
Commissioner



Kane County Commission

Mark W. Habbeshaw, Daniel W. Hulet, Duke Cox

76 North Main

Kanab, Utah 84741

(435) 644-4901

May 16, 2008

John Baza

Director

Utah Division of Oil, Gas and Mining

RE: Alton Coal Project

Dear Mr. Baza,

The Kane County Commission would like to reiterate its support for the Alton Coal Project. The County previously submitted a supporting comment letter on June 13, 2007 (attached). The County has continued to work with the Alton Coal Development LLC in coordinating the project. The County hopes the Division of Oil, Gas and Mining's permitting process concludes in favor of the project. We understand that the Alton Coal Development LLC is ready to begin operation as soon as all requirements are satisfied.

Kane County is a coal-bearing county but is not currently a coal-producing county. The economic benefits to the County as a coal-producing county will be of tremendous benefit to the County, its residents and property owners. It will also benefit the County regarding Community Impact Board funding as a mineral/coal producing county.

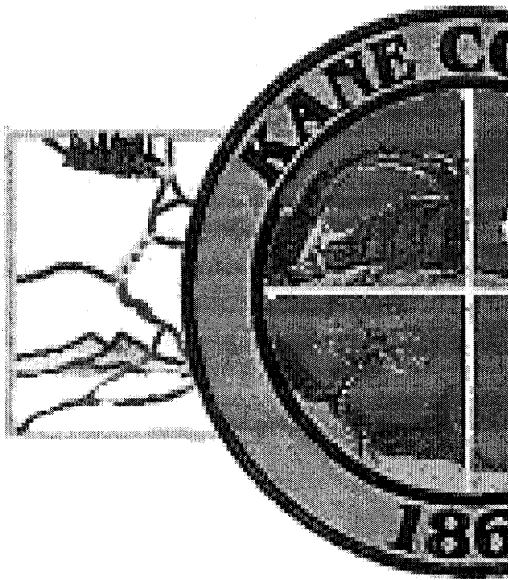
Comments opposing the Alton Coal Project on the basis that coal haul trucks are inappropriate on Highway 89 because of the Heritage Area designation are misrepresenting the purpose of the Heritage Area Act. Kane County did not support the Heritage Area Act until the Act was modified to protect local interests. Significantly, the County required the Act specifically celebrate "farmers, ranchers, loggers and **MINERS**" (emphasis added). Those words were added to the bill. Mining is a heritage in Kane County. In fact, the Heritage Area Act supports coal mining as an economic and cultural industry. In sum, the Heritage Act supports coal haul truck on Highway 89 as a Heritage Area activity. The only issues related to coal haul trucks using Highway 89 should be requirements of the Utah Department of Transportation (UDOT).

Kane County is excited to see the conclusion of the planning/permitting process and looks forward to the production phase of the project.

Sincerely,

(via email)

Mark W. Habbeshaw
Commissioner



Kane County Commission

Mark W. Habbeshaw, Daniel W. Hulet, Duke Cox

76 North Main

Kanab, Utah 84741

(435) 644-4901

June 13, 2007

John Baza

Director

Utah Division of Oil, Gas and Mining

Re: Alton Coal Project

The Kane County Commission would like to formally advise you of our support for the proposed Alton Coal Project, on both private and public lands, within the county. Project Manager, Allen Childs has met with both the Kane County Commission and the Kane County Resource Development Committee in keeping us updated on the project. The County has also met with your staff regarding State oversight of the project. Additionally, the County has participated in the initial BLM scoping effort and has been invited to participate in the required NEPA planning as a cooperating agency. Alton Coal Development LLC has established a commendable record in being open and cooperative with local government, residents and property owners.

We understand that Alton Coal Development LLC will be presenting the Alton Coal Project mining and reclamation plan for your approval regarding their proposed mining operations on private lands. In that regard, the County believes that the Alton Coal Project will not only provide an important source for Utah's long term coal energy needs but that it will also bring significant economic benefits to Kane County and the Southern Utah region.

Kane County is prepared to participate in support of the Alton Coal Project in all levels of planning and to further assist in resolving any practical issues that may arise, i.e., local permitting requirements, transportation needs, etc.

We want to thank you and your staff for your efforts to coordinate the Alton Coal Project locally. We also hope the mining and reclamation plan meets your Division's requirements for approval and want to let you know that Kane County is ready and willing to assist the Division of Oil, Gas and Mining and Alton Coal Development LLC in any way that the county may be helpful.

Sincerely,

(via email)

Mark W. Habbeshaw
Commission Chair

cc: Allen Childs